

honorably in the military. On October 11, 1998, Frances succumbed to Alzheimer's Disease. She will be remembered as a stylish, dedicated woman, who always knew how to make a little go a long, long way.

### QUALITY DAY CARE PROTECTION ACT OF 1998

SPEECH OF

**HON. RICK LAZIO**

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Thursday, October 15, 1998*

Mr. LAZIO of New York. Mr. Speaker, I rise today because an increasing number of moms and dads are placing their loved ones in day care. The time is right for me to introduce a new bill, The Quality Day Care Protection Act. This bill has two parts: (1) A misdemeanor for a person who misrepresents intentionally the credentials of the day care provider or the conditions of the care provided and (2) A felony for a person who causes serious physical injury to a child under his care. This bill gives parents the peace of mind knowing that their children are safe and secure while being cared for by responsible, reliable, licensed professional day care professionals.

Last July in Albany, New York, a couple left their three-month old daughter, Julia, in the care of a licensed, in-home day care provider. The provider lied about the number of children for whom she cared on a daily basis. The provider left Julia alone. The baby had been placed in a swing and left unattended. Julia was not supervised for twenty minutes. During that time, Julia threw up her food and choked on her own vomit. She was rushed to a local hospital, placed on life support, and tragically she was diagnosed as brain dead.

The critical fact in this horrible story is that the day care provider lied. She told Julia's parents that she was caring for four children. An official investigation discovered that eight children were receiving care.

I must tell you another tragic story. Last January, three month old Jeremy Fiedelholz was being cared for by a licensed, in-home day care operator. The parents left Jeremy with the professional for two hours. It was a trial run; the parents were deciding if this day care professional was one they could trust. When the Fiedelholz' returned they found Jeremy face down in a crib, in a pool of his own vomit, dead. The state of Florida had licensed this facility to care for six children, but this woman had taken in thirteen children that day. On the day that Jeremy died, while the owner ran errands, all 13 children were left at the mercy of a poorly trained staff person who was not CPR certified. The provider lied to Jeremy's parents.

The circumstances surrounding the deaths of these two infants are frighteningly similar. In both cases, the day care provider misrepresented to parents about how many children would be accepted daily, who would be responsible for caring for the child, and the qualifications of the person who would care for the child. Two children died after the day care professional misrepresentations. In both cases, the only recourse for the parents was in civil court. No federal or state criminal law applied. Under my bill, a crime will be committed if a day care provider intentionally mis-

represents the credentials or the conditions of the day care provider: (1) Credentials licenses or permits that the provider or the staff possesses; (2) Number of children for whom they care; (3) Quality of the day care facilities.

Most states do not have adequate criminal laws in this arena. Critical gaps that would safeguard the basic health and safety standards for child care exist. In many states, there are standards but they are not consistently enforced. For example, many states do not require small, in-home day care providers to apply for a license. Those providers are not inspected. Even when states require in-home providers to be licensed, most of the time there are no inspections.

Today, millions of parents have no choice. They must make ends meet to pay the bills. So, they are forced to place their loved ones in child care while they work. Currently, 77 percent of all women with children under 17 hold a job. Each day, about 13 million children under the age of six spend part of their day in day care. There are six million infants and toddlers who are being cared for by people that parents are hoping they can trust.

Every parent wants to feel secure in knowing their loved ones are receiving quality day care. Quality care means providing a safe and healthy environment where care gives safeguard infants and nurture their development. Quality care means having a minimum number of children for each care giver. The best of all worlds means every child in day care receives as much one-on-one attention as possible. This bill gives moms and dads what they deserve—the peace of mind that goes with knowing their children are safe and secure when in the arms of a day care professional.

The Quality Day Care Protection Act is a fair bill. Prosecutors will be allowed to pursue day care providers that deliberately break the law. Parents will see justice done when their child is seriously injured or dies. I urge my colleagues to support this legislation.

### H.R. 4838, THE HOUSING PRESER- VATION MATCHING GRANT OF 1998

**HON. BRUCE F. VENTO**

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, October 20, 1998*

Mr. VENTO. Mr. Speaker, on October 14, 1998, I introduced, H.R. 4838, the Housing Preservation Matching Grant of 1998, which would authorize the Secretary of HUD to make grants to States to supplement State assistance for the preservation of affordable housing for low income families.

I consider this bill advance notice for the agenda of the 106th Congress which should begin in allocating resources to match the efforts of some States in preserving affordable housing units across this nation. During the consideration of the FY 1999 VA, HUD and Independent Agencies Appropriations bill, I attempted to offer an amendment that would expand the notification a tenant receives from 60 days to 12 months that a building's mortgage will be prepaid, ending its lower income affordability. In the end, we succeeded in achieving a five-month notification requirement. A greater victory, however, would be to achieve the long-term preservation of those housing units as affordable housing.

We are facing a dire situation with regard to affordable housing needs in this country. Low-to moderate-income residents receiving housing assistance are on the cusp of a crisis and Congress *must act* to attempt to avert the breakdown and loss of the national public and assisted housing stock. Without preservation, the best of the worst case scenarios is a "vouchering out" of what little affordable housing remains.

Some states are allocating resources to save federally subsidized housing for the future. In my home state of Minnesota, where 10% of the roughly 50,000 units of assisted housing are at risk, \$10 million was appropriated in 1999 for an Affordable Rental Investment Fund to finance the acquisition, rehabilitation and debt restructuring of federally assisted rental property and for making equity take-out loans. This laudable effort, however, is only one state and even there, the resources allocated cannot match the great need for affordable housing, especially for seniors and those with special needs, other states and local governments must step forward with funding to help, Federal housing policy should encourage and facilitate such action.

H.R. 4838 recognizes these kinds of commitments and matches them with two federal dollars for every State dollar. If there is not funding for the federal Low Income Housing Preservation and Resident Homeownership Act (LIHPHA) perhaps this new Housing Preservation Matching Grant can encourage a forestallment of prepayment, which places low-income families at risk of losing their homes. With action and enactment of this bill in the next Congress we could provide a benchmark for states and local communities to work from and with as they produce their own initiatives to avert this pending national crisis in affordable housing.

A section-by-section of H.R. 4838 follows:

#### *Section 1. Short title*

The short title of the Act is the "Housing Preservation Matching Grant Act of 1998".

#### *Section 2. Findings and purpose*

(a) *Findings.*—The Congress finds that—

(1) more than 55,300 affordable housing dwelling units in the United States have been lost through termination of low income affordability requirements, which usually involves the prepayment of the outstanding principal balance under the mortgage on the project in which such units are located;

(2) more than 265,000 affordable housing dwelling units in the United States are currently at risk of prepayment;

(3) the loss of the privately owned, federally assisted affordable housing, which is occurring during a period when rents for unsubsidized housing are increasing and few units of additional affordable housing are being developed, will cause unacceptable harm on current tenants of affordable housing and will precipitate a national crisis in the supply of housing for low-income households;

(4) the demand for affordable housing far exceeds the supply of such housing, as evidenced by studies in 1998 that found that (A) 5,300,000 households (one-seventh of all renters in the Nation) have worst-case housing needs; and (B) the number of families with at least one full-time worker and having worst-case housing needs from 1991 to 1995 by 265,000 (24 percent) to almost 1,400,000;

(5) the shortage of affordable housing in the United States reached a record high in 1995, when the number of low-income households exceeded the number of low-cost rental dwelling units by 4,400,000;